

*Piccolo/Btk*

NOTE: Pursuant to Fed. Cir. R. 47.6, this order  
is not citable as precedent. It is a public order.

**SOLICITOR**  
NOV - 3 2004 *SW*

**U.S. PATENT & TRADEMARK OFFICE**

## **United States Court of Appeals for the Federal Circuit**

04-1530  
(Serial No. 08/736,143)

IN RE THOMAS APPLE, PAUL NOBLE,  
JOHN FOOTEN, and ANDREW KLEIN,

ON MOTION

### ORDER

Upon consideration of the parties' joint motion to remand the case to the United  
States Patent and Trademark Office for further proceedings,

IT IS ORDERED THAT:

- (1) The motion is granted.
- (2) Each side shall bear its own costs.

FOR THE COURT

NOV - 1 2004

\_\_\_\_\_  
Date

*Jan Horbaly* (M)

\_\_\_\_\_  
Jan Horbaly  
Clerk

cc: Denis G. Maloney, Esq.  
John M. Whealan, Esq.

s16

NOV - 1 2004

ISSUED AS A MANDATE: \_\_\_\_\_

**FILED**  
**U.S. COURT OF APPEALS FOR**  
**THE FEDERAL CIRCUIT**

NOV - 1 2004

**JAN HORBALY**  
**CLERK**

Day : Wednesday

Date: 11/10/2004

Time: 17:26:14

PALM INTRANET

## Content Information for 08/736143

Search Another: Application# or Patent# PCT /  / or PG PUBS # Attorney Docket # Bar Code # 

Date	Status	Code	Description
11/01/2004	197	J507	COURT PROCESSING TERMINATED
11/01/2004		JA04	DECISION BY CAFC - REMANDED
07/01/2004	195	J502	APPEAL TO COURT OF APPEALS
05/06/2004		MAPD1	MAIL BPAI DECISION ON RECONSIDERATION - DEN
05/06/2004	144	APD1	DEC ON RECONSIDERATION - DENIED
02/17/2004	143	APRR	REQUEST FOR RECONSIDERATION OF APPEAL DEC
12/16/2003		MAPDA	MAIL BPAI DECISION ON APPEAL - AFFIRMED
12/16/2003	135	APDA	BPAI DECISION - EXAMINER AFFIRMED
06/18/2003		APWH	WAIVER OF HEARING BY APPELLANT
05/28/2003		APNH	NOTIFICATION OF APPEAL HEARING
03/26/2003		AP_DK_M	DOCKETING NOTICE MAILED TO APPELLANT
03/25/2003	124	APAS	ASSIGNMENT OF APPEAL NUMBER
03/19/2003		APWD	APPEAL AWAITING BPAI DOCKETING
02/26/2003		MEXIN	MAIL EXAMINER INTERVIEW SUMMARY (PTOL - 41
02/03/2003		EXIN	EXAMINER INTERVIEW SUMMARY RECORD (PTOL
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11/07/2002		MRBNE	MAIL REPLY BRIEF NOTED BY EXAMINER
11/06/2002	133	RBNE	REPLY BRIEF NOTED BY EXAMINER
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06/04/2002	121	AP.B	APPEAL BRIEF FILED
06/03/2002	120	N/AP	NOTICE OF APPEAL FILED
03/26/2002	61	MCTFR	MAIL FINAL REJECTION (PTOL - 326)
03/25/2002	60	CTFR	FINAL REJECTION
12/15/2001		FWDX	DATE FORWARDED TO EXAMINER
12/10/2001	121	AP.B	APPEAL BRIEF FILED
08/24/2001		LET.	MISCELLANEOUS INCOMING LETTER
08/24/2001	120	N/AP	NOTICE OF APPEAL FILED
05/22/2001	61	MCTFR	MAIL FINAL REJECTION (PTOL - 326)
05/21/2001	60	CTFR	FINAL REJECTION
03/08/2001		FWDX	DATE FORWARDED TO EXAMINER
03/05/2001	71	A...	RESPONSE AFTER NON-FINAL ACTION
03/05/2001		XT/G	REQUEST FOR EXTENSION OF TIME - GRANTED
11/01/2000	41	MCTNF	MAIL NON-FINAL REJECTION
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10/13/1999	71	ACPA	CONTINUING PROSECUTION APPLICATION - CONTI
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10/13/1999	168	ABN3	EXPRESS ABANDONMENT (DURING EXAMINATION
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08/13/1998		PA..	CHANGE IN POWER OF ATTORNEY (MAY INCLUDE

09/28/1998		A.PE	PRELIMINARY AMENDMENT
09/29/1998	30	DOCK	CASE DOCKETED TO EXAMINER IN GAU
12/24/1997		TR.Q	TRANSFER INQUIRY
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08/18/1997	20	OIPE	APPLICATION DISPATCHED FROM OIPE
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